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November 14, 2024

VIA ECF

Hon. Katherine Polk Failla
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *Copperweld Bimetallics, LLC v. Exponent Inc.*
No. 1:24-mc-00457
Consented to request for extension of time

Dear Judge Failla:

We represent Exponent Inc. (“Exponent”) in this matter, which consists of Cerro Wire LLC’s (“Cerro Wire”) motion to compel Exponent to produce documents in response to Cerro Wire’s subpoena in an action pending in the Northern District of Alabama. (ECF # 1-3) As background for the relationship among the parties, Exponent has acted as a science consultant for the plaintiff, Copperweld Bimetallics, LLC, which has implicated matters of privilege.

Per Your Honor’s Rule 2.C.i., we write on behalf of Exponent and Cerro Wire to jointly, respectfully request an extension of time for Exponent’s opposition to the motion to compel for an additional 12 days, until November 27, 2024. Per the Court’s October 28, 2024 Order, Exponent’s opposition is due on November 15, 2024. (ECF # 8) The Court granted one previous extension sua sponte, although no extensions have been previously sought. This extension is sought to allow Exponent and the parties additional time to seek resolution of the discovery sought by Cerro Wire without further intervention by the Court; discussions among counsel are ongoing. Cerro Wire consents and joins in the request for an extension of time.

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Thank you for your consideration.

Respectfully submitted,

RIVKIN RADLER LLP

/s/ Paul V. Majkowski
Paul V. Majkowski

Enclosure

cc: All Counsel (via ECF)

4888-0168-1910, v. 2

Application GRANTED. The deadline for Exponent Inc. to file its opposition to the motion to compel is hereby ADJOURNED to on or before **November 27, 2024**.

The Clerk of Court is directed to terminate the pending motion at docket entry 9.

Dated: November 14, 2024
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE